

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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GORDON GRAINGER,

Petitioner,

Case No. 2:09-CV-72

v.

HON. GORDON J. QUIST

BARRY D. DAVIS,

Respondent.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on Petitioner. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(c).<sup>1</sup> Therefore, the Court will adopt the Report and Recommendation. Accordingly,

**IT IS HEREBY ORDERED** that the Magistrate Judge's Report and Recommendation (Docket #12) is approved and adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Respondent's motion to dismiss (Docket #11) is **GRANTED**.

Dated: March 22, 2010

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup>On February 22, 2010, the envelope containing the copy of the Report and Recommendation sent to Petitioner was returned to the Clerk's office indicating that Petitioner had been discharged from prison. A petitioner has a continuing obligation to keep the court informed of his current address. *See Prea v. Battaista*, No. 91 Civ. 1171 (TPG), 1993 WL 97423 (S.D.N.Y. Mar. 30, 1993); *see also Malaga v. Howes*, No. 1:07-CV-97, 2010 WL 233873 (W.D. Mich. Jan. 14, 2010). Petitioner failed to comply with this obligation.